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CASE PC/4-32405A

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 706 064 119 US

Express Mail Label Number

July 9, 2008

Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

SUTTON ET AL.

APPLICATION NO: 10/507,255

FILED: 09/28/04

FOR: SALTS OF NATEGLINIDE

Art Unit: 1756

Examiner: Lao, Marialouisa

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Office Action dated January 31, 2008 finally rejecting claims 1-23.

- ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$510 for payment of the appeal fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.
- ☐ The appeal fee was paid in a previous appeal herein. The examiner re-opened prosecution prior to any decision by the Board of Patent Appeals and Interferences. No fee is now due.

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01 FC:1401 510.00 DA



Enclosed is a Petition for Extension of Time.

Respectfully submitted,

Novartis Pharmaceuticals Corp.
Patents Pharma
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-1202

Date:

July 9, 2008

Jennifer C. Chapman

Jennifer C. Chapman
Attorney for Applicants
Reg. No. 47,487



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